

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

MAY 26 1983

IN REPLY REFER TO:

Honorable Mickey Leland
United States House of Representatives
419 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Leland:

This is in reply to your letter of May 12, 1983 in which you requested Commission responses to 36 additional questions for the record as a follow-up to the oversight hearing held on April 19, 1983, by the House Subcommittee on Telecommunications, Consumer Protection, and Finance.


On May 23, we submitted the Commission's draft responses to the 36 questions. We are submitting at this time our definitive reply, including attachments. This response supplements our response of May 13, 1983 to your initial 86 questions.

Overall, I am pleased to report that the total number of minority members employed as professionals at the Commission in the requested categories and during the period under review has increased from 177 to 184, or about three percent. Moreover, the numbers of these minority professionals as a percentage of the total professional workforce in the requested categories has increased from 11.41% in July 1980, to 13.44% as of April 1983.

As noted in our May 13 responses, the Commission's deliberate effort during the recent past has been targeted at improving the FCC employment profile of specific minority groups, e.g., Native Americans and Asian Americans. I am pleased to report that we have generally made measurable progress in this regard.

We hope to continue to make progress in this hiring program. We also continue to believe, as we noted in our transmittal letter of May 13, that the progress we have made to date "takes on added significance when considered in light of the realities of budget and personnel cuts and hiring freezes that have occurred within the Commission during this same period."

Please contact us if we can be of any further assistance.

Sincerely,

Mark S. Fowler
Chairman

locally-controlled. Up for renewal are one TV station, 6 AMs & 6 FMs. FCC released list Fri., compiled by law firm Pierson Ball & Dowd, which showed 14 applications for WHBQ-TV Memphis; 10 for WRKO(AM) Boston; 13 for WROR(FM) Boston; 11 for WOR(AM) N.Y.; 13 for WRKS-FM N.Y.; 14 for WGMS(AM) Washington; 22 for WGMS-FM Washington; 6 for WHBQ(AM) Memphis; 9 for WAXY(FM) Ft. Lauderdale; 11 for WFYR(FM) Chicago; 11 for KHJ(AM) L.A.; 16 for KRTH(FM) L.A.; 14 for KFRC(AM) San Francisco.

Battle report: Pressure is increasing in House Energy & Commerce panel for resolution to dispute over whether amendments will be allowed to FCC budget authorization bill. Latest report from staffers is that as many as dozen additions to bill are being planned by Committee members. Latest proposals would: (1) Give federal govt. jurisdiction over intrastate interexchange transmissions. (2) Extend pole attachment coverage to municipal- & state-owned electric utilities, also telephone co-ops. (3) Require cost of regulation fees for "all licensees at FCC," source said. (4) Require TV stations to air minimum of 5 hours of children's programming between Mon. & Fri. (5) So-called "NCPAC amendment" to toughen fairness doctrine by requiring stations that accept paid political advertisements from independent political action groups also to air opposing viewpoints without charge. Sponsors & support for these amendments are still being settled, aides said, but sponsors of other new amendments are known: (1) House Telecom Subcommittee Chmn. Wirth (D-Colo.) is planning proposals telling FCC to authorize VHF & FM drop-ins and to codify agency's recent DBS decision. (2) Subcommittee member Rep. Scheuer (D-N.Y.) has amendment to require broadcasters to pay spectrum fee, with proceeds going to public broadcasting; part of money would be targeted for children & minority group programming. (3) Also from Subcommittee, Rep. Markey (D-Mass.) has proposal to create "CUBs" or consumer utility boards that would represent consumers at telephone ratemaking proceedings in every state and at FCC. Money to support CUBs would come from volunteer consumer contributions. Previously reported amendments on financial interest & syndication, broadcast deregulation, minority ownership rules and EEO also are still on table. It's unlikely FCC bill will be marked up by full Committee this week.

Proposed amendment to cable deregulation bill (S-66) — designed to resolve AT&T opposition by allowing for deregulation of telcos in offering data services when it can be shown that adequate competition exists (Daily, May 12) — has been criticized by FCC Chmn. Fowler. In letter to Senate Commerce Committee Chmn. Packwood (R-Ore.), Fowler said he doesn't believe telephone industry argument that unregulated cable data services will result in unfair competition. "I believe that the current dominant position of the local telephone companies means that we must proceed with caution in deregulating" telcos as proposed amendments would allow. "The concept of 'effective competition' as it relates to the services provided by cable systems and the monopoly telephone companies is not well developed and deserves careful thought," Fowler said. He said he had reviewed amendments proposed in "Dear Colleague" letter and "it is our view that the amendments satisfactorily respond to the telephone industry's concerns." Fowler warned that S-66 isn't place to draft new common carrier legislation. Meanwhile, hearing by Senate Judiciary Committee scheduled for today on S-66 has been canceled. Some members were concerned about provisions restricting city from dealing with other cable operators while negotiating franchise renewal with existing operator. Meeting was canceled, industry executive said, when NCTA informally agreed to language added to bill allowing city to seek information from other operators during franchise renewal. "This doesn't mean issuing an RFP," executive said. "It just means the city can find out what other systems are offering so they can be informed when dealing with the existing operator."

United Tribune Cable Fri. refused to accept "sign it or else" franchise ultimatum from Sacramento Board of Supervisors and will not receive franchise valued at \$1.5 billion, officials said. City plans now to begin rebidding franchise, hopes to have new RFPs out by mid-June, award franchise by Christmas. United Tribune had demanded concessions from city, mainly provision allowing company to withdraw from contract with limited liability if national policy toward cable changed in coming 6 months.

NCAA lost another round in efforts to prevent universities from negotiating their own TV contracts for major sports. U.S. Appeals Court in Denver voted 2-1 to uphold lower court decision in favor of U. of Okla. and U. of Ga. Federal judge in Okla. City had ruled last year